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Attorneys for Plaintiff Debtor
PALM DRIVE HEALTH CARE DISTRICT

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re	Case No.: 14-10510-CN
PALM DRIVE HEALTH CARE DISTRICT,	Chapter 9
Debtor.	

PALM DRIVE HEALTH CARE DISTRICT,
Plaintiff,
vs.
ALERE NORTH AMERICA,
Defendant.

Adv. Proc. No. 16-01062

**NOTICE OF ENTRY OF JUDGMENT BY
DEFAULT AGAINST DEFENDANT
ALERE**

PLEASE TAKE NOTICE that the Court has entered the attached Judgment by Default against Defendant Alere on April 27, 2018.

Dated: April 27, 2018

FOX ROTHSCHILD LLP

By: /s/ Michael A. Sweet
Michael A Sweet

Entered on Docket

April 27, 2018

EDWARD J. EMMONS, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA



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The following constitutes
the order of the court. Signed April 27, 2018

A handwritten signature in black ink, appearing to read "Charles Novack".

Charles Novack
U.S. Bankruptcy Judge

6 Attorneys for Plaintiff Debtor
PALM DRIVE HEALTH CARE DISTRICT

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SANTA ROSA DIVISION

11 In re Case No.: 14-10510-CN
12 PALM DRIVE HEALTH CARE DISTRICT, Chapter 9
13 Debtor.

15 PALM DRIVE HEALTH CARE DISTRICT, Adv. Proc. No. 16-01062

17 Plaintiff,
vs.
18 ALERE NORTH AMERICA,
19 Defendant.

**JUDGMENT BY DEFAULT AGAINST
DEFENDANT ALERE**

21 WHEREAS, the Complaint and Alias Summons in the above-entitled adversary proceeding
22 were duly filed and served by plaintiff Palm Drive Health Care District ("Palm Drive") on defendant
23 Alere North America, Inc. ("Alere"), and

24 WHEREAS, Alere has not timely answered or otherwise responded to the Complaint and
25 Alias Summons; and

26 WHEREAS, an Entry of Default by Clerk and Notice Thereon was duly entered in this action
27 by the Clerk of the Court on January 9, 2017, and notice thereof given by the Clerk on January 11,
28 2017; and good cause appearing;

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

- 2 1. Judgment is granted in favor of Palm Drive against Alere for recovery under Section 550
3 of the Bankruptcy Code the sum of 15,585.67 in avoided preferential transfers; and
4 2. Palm Drive is awarded its costs of suit in the amount of \$350.00; and
5 3. Pursuant to Bankruptcy Code § 502(d) any and all claims of defendant Alere and/or its
6 assignee(s) in the bankruptcy case of Palm Drive are hereby disallowed until such time as
7 Alere pays to Palm Drive an amount equal to the aggregate of the awards in paras. 1 and
8 2 preceding of this Judgment; and
9 4. Pursuant to Bankruptcy Code § 502(j) any and all claims of defendant Alere and/or its
10 assignee(s) in the bankruptcy case of Palm Drive previously allowed or deemed allowed
11 are hereby reconsidered and disallowed until such time as Alere pays to Palm Drive an
12 amount equal to the aggregate of the awards in paras 2 and 2 preceding of this Judgment.

13 *** IT IS SO ORDERED ***